UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/894,128	06/29/2001	Wei-Che Yu	YUWE3002/EM/6947	5733

23364	7590	09/23/2004

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EXAMINER
BILGRAMI, ASGHAR H

ART UNIT	PAPER NUMBER
2143	

DATE MAILED: 09/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL.**   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle,* 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-6* is/are pending in the application.

  4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☐ Claim(s) _____ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *06/29/2001* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

  a)☐ All   b)☐ Some * c)☐ None of:

  1.☐ Certified copies of the priority documents have been received.

  2.☐ Certified copies of the priority documents have been received in Application No. _____.

  3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

  * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
     Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
     Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 112

1.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2.   Claim 1 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

From the claim language it is unclear to the Examiner whether the client is configuring the "other network apparatus" using NEAP or there is some other server doing the configuration. Claim language is unclear and correct punctuation is needed ,therefore a clarification and/or claim amendment is required.

For the purpose of examination the examiner has considered figure 1 to determine that the client is configuring the servers through NEAP.

3.   The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4.   Claim 6 rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter that was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. Claim 6 mentions "Network

apparatus arrangement protocol according to Claim 3, wherein, before sending out the said

request packet, the said client end first adds the password to the entire request packet excluding

the columns of authenticator and server MAC address according to a set method of code

encryption, then fills it in the said authenticator column and sends the said request packet out

from the client end; after the request packet being received by the said every server, the said

every server uses the same code encryption method to encrypt the entire request packet into data

according to the preset password provided by the said every server, compares it with the data in

the authenticator column in the said request packet; if both are the same, the operation of getting

or setting is conducted; otherwise, the request of the said packet is rejected". The specification

however has no explanation of how the password or encryption mechanism is implemented.

Claim Rejections - 35 USC § 103

5.   Claims 1-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hwa-Chun-

Lin et al "An Algorithm for Topology Discovery of IP Networks" 1998 IEEE and Bonn et al

(U.S. 6,618,755).

As per claim 1 Hwa-Chun-Lin disclosed an algorithm similar to Network apparatus management

Protocol (NEAP), the said NEAP uses a network apparatus management tool to establish a one-

client-multi-server mode together with all the network apparatuses on the same network, thereby

the said management tool plays the role of one-client and the other network apparatus on the

same network play the role of multi-server to make the said every network apparatus (page 1192,

col.2, lines 10-14 & page1193, col.1, lines 54-56, col.2, lines 1-11);

However Hwa-Chun-Lin did not expressly disclose that through the said NEAP, assign a special

communication port number in the header of a User Datagram Protocol (UDP) as the port

number, also to make the request packet of the client end to work as the UDP destination port

number based on the UDP communication port number assigned by the said NEAP, and to set

the UDP source port number according to the mechanism at the client end, therefore, after

receiving the said request packet and accomplishing the operation requested to be conducted, the

said every network apparatus exchanges the said UDP destination port number and the said UDP

source port number, then transmits it to the client end by broadcasting to enable the said client

end to easily achieve the purpose of managing all the said network apparatuses on the same

network. In the same field of endeavor Bonn disclosed a software that that works in a similar

way as the NEAP, assign a special communication port number in the header of a User Datagram

Protocol (UDP) as the port number, also to make the request packet of the client end to work as

the UDP destination port number based on the UDP communication port number assigned by the

said NEAP (col.4, lines 9-28), and to set the UDP source port number according to the

mechanism at the client end, therefore, after receiving the said request packet and accomplishing

the operation requested to be conducted, the said every network apparatus exchanges the said

UDP destination port number and the said UDP source port number, then transmits it to the

client end by broadcasting to enable the said client end to easily achieve the purpose of managing

all the said network apparatuses on the same network (col.5, lines 3-10).

It would have been obvious to one having ordinary skill in the art at the time invention was made

to incorporate the capability of specific communication port number as described by Bonn in the

algorithm for detecting network apparatuses by Hwa-Chun-Lin in order to make the management

and discovery algorithm more secure and reliable.

6.   As per claim 2 (Hwa-Chun-Lin and Bonn) disclosed a Network apparatus management

protocol according to Claim 1, wherein the columns for defining data of the packet code and

server MAC address are included in the header of the said NEAP, wherein the said packet code

can be divided into three major codes of discovering, getting and setting according to the

different destination addresses; the said server MAC address is used to represent the server at the

client end requesting for conducting the operations of discovering, assigning getting or setting

(Bonn, col.2, lines 41-67 & col.4, lines 9-28).

7.   As per claim 3 (Hwa-Chun-Lin and Bonn) disclosed a Network apparatus arrangement

protocol according to Claim 2, wherein the data of the said NEAP includes a series of data

columns for defining attributes, thereby the said attribute data is utilized to describe the data

value to be gotten or set (col.4, lines 9-28).

8.   Claims 4 & 5 (Hwa-Chun-Lin and Bonn) disclosed a Network apparatus arrangement

protocol according to Claim 3, wherein, when the client end tends to conduct data getting toward

the said server, the said client end can sequentially fill in the data item to be gotten into the said

data column according to its attribute type, then send out the request packet; after the said packet

being received by the said server, the said server sequentially decodes the attribute data in the

said data column, fills the data in the said server corresponding to the said attribute type in the

attribute value column of the said packet, and transmits the said packet back to the client end to

enable the client end to easily get the data in the said server(Hwa-Chun-Lin, page 1193, col.1,

lines 35-52 & col.2, lines 12-54).

9.   As per claim 6 (Hwa-Chun-Lin and Bonn) disclosed a Network apparatus arrangement

protocol according to Claim 3, wherein, before sending out the said request packet, the said

client end first adds the password to the entire request packet excluding the columns of

authenticator and server MAC address according to a set method of code encryption, then fills it

in the said authenticator column and sends the said request packet out from the client end; after

the request packet being received by the said every server, the said every server uses the same

code encryption method to encrypt the entire request packet into data according to the preset

password provided by the said every server, compares it with the data in the authenticator

column in the said request packet; if both are the same, the operation of getting or setting is

conducted; otherwise, the request of the said packet is rejected (Bonn, col.2, lines 5-10 & col.4,

lines 1-8).

Conclusion

10.   The prior art made of record and not relied upon is considered pertinent to applicant's
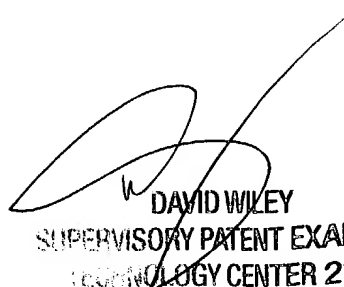
disclosure.

        Barki et al (U.S. PUB No 2002/0032769 A1) disclosed network management method and

        system.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Asghar Bilgrami whose telephone number is 703-305-4623 or

571-272-3923 after October 2004. The examiner can normally be reached on M-F, 8:00-

5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, David Wiley can be reached on 703-308-5221 or 571-272-3923 after October 2004.

The fax phone number for the organization where this application or proceeding is assigned is

703-872-9306.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Asghar Bilgrami
Examiner
Art Unit 2143

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DAVID WILEY
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